



## DECLARATION AND POWER OF ATTORNEY

#3

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:  
**BLADDER NUCLEAR MATRIX PROTEINS, POLYNUCLEOTIDE SEQUENCES ENCODING THEM, AND THEIR USE**, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed:

## PRIOR FOREIGN APPLICATION(S)

| NUMBER | COUNTRY | DAY/MONTH/YEAR FILED | PRIORITY CLAIMED |
|--------|---------|----------------------|------------------|
|        |         |                      |                  |

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

| APPLICATION NO. | FILING DATE      |
|-----------------|------------------|
| 60/006,226      | 03/November/1995 |
|                 |                  |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States, or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

| APPLICATION SERIAL NO. | FILING DATE      | STATUS: PATENTED, PENDING, ABANDONED |
|------------------------|------------------|--------------------------------------|
| 08/742,850             | November 1, 1996 | Pending                              |

I hereby appoint as my attorneys, with full powers of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Stephen A. Bent, Reg. No. 29,768; David A. Blumenthal, Reg. No. 26,257; William T. Ellis, Reg. No. 26,874; John J. Feldhaus, Reg. No. 28,822; Donald D. Jeffery, Reg. No. 19,980; Eugene M. Lee, Reg. No. 32,039; Peter G. Mack, Reg. No. 26,001; Brian J. McNamara, Reg. No. 32,789; Sybil Meloy, Reg. No. 22,749; George E. Quillin, Reg. No. 32,792; Colin G. Sandercock, Reg. No. 31,298; Bernhard D. Saxe, Reg. No. 28,665; Charles F. Schill, Reg. No. 27,590; Richard L. Schwaab, Reg. No. 25,479; Arthur Schwartz, Reg. No. 22,115; Harold C. Wegner, Reg. No. 25,258; Stephen B. Maebius, Reg. No. 35,264.

Address all correspondence to FOLEY & LARDNER, 3000 K Street, N.W., Suite 500, P.O. Box 25696, Washington, D.C. 20007-8696.  
 Address telephone communications to Stephen A. Bent at (202) 672-5300.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

|  |   |   |
|--|---|---|
| Full Name of First or Sole Inventor<br><b>Robert H. GETZENBERG</b>               | Signature of First or Sole Inventor<br> | Date<br><b>08/27/98</b>                                   |
| Residence Address<br><b>1627 Augusta Drive, Pittsburgh, Pennsylvania 15237</b>   |   | Country of Citizenship<br><b>United States of America</b> |
| Post Office Address<br><b>1627 Augusta Drive, Pittsburgh, Pennsylvania 15237</b> |   |   |

Applicant or Patentee: Robert H. Getzenberg et al.

Serial or Patent No.: To be assigned

Atty. Dkt. No. 76333/164

Filed or Issued: August 28, 1998

For: **BLADDER NUCLEAR MATRIX PROTEINS, POLYNUCLEOTIDE SEQUENCES ENCODING THEM, AND THEIR USE**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS  
(37 C.F.R. § 1.9(d) AND § 1.27 (c)) — NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: University of Pittsburgh  
ADDRESS OF ORGANIZATION: 911 William Pitt Union, Pittsburgh, PA 15260  
TYPE OF ORGANIZATION:  
(X) UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION  
( ) TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. § 501(a) AND 501(c)(3))  
( ) NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA  
( ) (NAME OF STATE) (CITATION OF STATUTE)  
( ) WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 U.S.C. § 501(a) AND § 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA  
( ) WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA  
( ) (NAME OF STATE) (CITATION OF STATUTE)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under section 41(a) or (b) of Title 35, United States Code with regard to the invention entitled **BLADDER NUCLEAR MATRIX PROTEINS, POLYNUCLEOTIDE SEQUENCES ENCODING THEM, AND THEIR USE** by inventors **Robert H. Getzenberg et al.** described in the specification filed herewith.

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is hereby notified that the rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 C.F.R. § 1.9(a) or by any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(b) or a nonprofit organization under 37 C.F.R. § 1.9(c). \*NOTE: Separate verified statements must be filed from each named person, concern or organization having rights to the invention averring to their status as such under 37 C.F.R. § 1.27.

NAME OF PERSON SIGNING: FRANCIS J. CONNELL

TITLE OF PERSON OTHER THAN OWNER: DIRECTOR, TECHNOLOGY TRANSFER and INTELLECTUAL PROPERTY

ADDRESS OF PERSON SIGNING: 200 GSEC, UNIV. OF PITTSBURGH, PITTSBURGH, PA 15260

SIGNATURE: Francis J. Connell DATE: Aug. 26, 1998

# ASSIGNMENT

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, each undersigned inventor has sold and assigned, and by these presents hereby sells and assigns, unto **UNIVERSITY OF PITTSBURGH**

name and  
address of  
assignee

**911 William Pitt Union  
Pittsburgh, PA 15260**

(hereinafter ASSIGNEE) all right, title and interest for the United States, its territories and possessions in and to this invention relating to

title of  
invention

**BLADDER NUCLEAR MATRIX PROTEINS, POLYNUCLEOTIDE SEQUENCES  
ENCODING THEM, AND THEIR USE**

as set forth in this United States Patent Application

check one

☒ executed concurrently herewith

☐ executed on \_\_\_\_\_

☐ Serial No. \_\_\_\_\_ Filed \_\_\_\_\_

in and to said United States Patent Application including any and all divisions or continuations thereof and in and to any and all Letters Patent of the United States which may issue on any such application or for said invention, including any and all reissues or extensions thereof, to be held and enjoyed by said ASSIGNEE, its successors, legal representatives and assigns to the full end of the term or terms for which any and all such Letters Patent may be granted as fully and entirely as would have been held and enjoyed by the undersigned had this Assignment not been made;

Each of the undersigned hereby authorizes and requests the Commissioner of Patents and Trademarks to issue any and all such Letters Patent to said ASSIGNEE, its successors or assigns in accordance herewith;

Each of the undersigned warrants and covenants that he has the full and unencumbered right to sell and assign the interests herein sold and assigned and that he has not executed and will not execute any document or instrument in conflict herewith;

Each of the undersigned further covenants and agrees he will communicate to said ASSIGNEE, its successors, legal representatives or assigns all information known to him relating to said invention or patent application and that he will execute and deliver any papers, make all rightful oaths, testify in any legal proceedings and perform all other lawful acts deemed necessary or desirable by said ASSIGNEE, its successors, legal representatives or assigns to perfect title to said invention, to said application including divisions and continuations thereof and to any and all Letters Patent which may be granted therefor or thereon, including reissues or extensions, in said ASSIGNEE, its successors, or assigns or to assist said ASSIGNEE, its successors, legal representatives or assigns in obtaining, reissuing or enforcing Letters Patent of the United States for said invention;

Each of the undersigned hereby grants the firm of **FOLEY & LARDNER** the power to insert in this Assignment any further identification which may be necessary or desirable to comply with the rules of the U.S. Patent and Trademark Office for recordation of this Assignment.

## NAMES AND SIGNATURES OF INVENTORS

|                                   |  |                       |
|-----------------------------------|--|-----------------------|
| Name: <b>Robert H. GETZENBERG</b> | Signature: <i>Robert H. Getzenberg</i> | Date: <b>08/27/98</b> |
| Name: _____                       | Signature: _____                       | Date: _____           |

## NAMES AND SIGNATURES OF WITNESSES

|                                   |  |                      |
|-----------------------------------|--|----------------------|
| Name: <b>Julie A. Arlotti</b>     | Signature: <i>Julie Ann Arlotti</i>    | Date: <b>8/27/98</b> |
| Name: <b>Barbara N. Vietmeyer</b> | Signature: <i>Barbara N. Vietmeyer</i> | Date: <b>8/27/98</b> |

Note: *Prima facie* evidence of execution may optionally be obtained by execution of this document before a U.S. Consul or before a local officer authorized to administer oaths whose authority is proved by a certificate from a U.S. Consul.



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DECEMBER 17, 1998

PTAS



\*100822861A\*

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UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/28/1998

REEL/FRAME: 9422/0660  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GETZENBERG, ROBERT H.

DOC DATE: 08/27/1998

ASSIGNEE:

UNIVERSITY OF PITTSBURGH  
911 WILLIAM PITT UNION  
PITTSBURGH, PENNSYLVANIA 15260

SERIAL NUMBER: 09143369  
PATENT NUMBER:

FILING DATE: 08/28/1998  
ISSUE DATE:

MAURICE CARTER, EXAMINER  
ASSIGNMENT DIVISION  
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(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)



100822861

SEP 04 2001

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies)

Robert H. GetzenbergAdditional name(s) of conveying party(ies) attached? None

2. Name and address of receiving party(ies):

Name: University of Pittsburgh

Internal Address:

Street Address: 911 William Pitt UnionCity: Pittsburgh, State: PA ZIP: 15260Additional name(s) & address(es) attached? None

3. Nature of conveyance:

☒ Assignment                      ☐ Merger  
☐ Security Agreement           ☐ Change of Name  
☐ Other \_\_\_\_\_

Execution Date: August 27, 1998

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: August 27, 1998

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? None

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Stephen B. Maebius, Esq.Internal Address: Foley & LardnerStreet Address: 3000 K Street, N.W., Suite 500City: Washington, State: D.C. ZIP: 20007-51096. Total number of applications and patents involved: 17. Total fee (37 C.F.R. § 3.41) . . . . . \$40.00☒ Enclosed☐ Authorized to be charged to deposit account8. Deposit account number: 19-0741

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stephen B. Maebius

Name of Person Signing

Signature

August 28, 1998

Date

Total number of pages including cover sheet, attachments, and document: 2Mail documents to be recorded with required cover sheet information to:  
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